

Reply to Office Action dated December 7, 2010

**REMARKS**

Claims 10, 12, 68 and 71-72 are pending in this application. By this Amendment, claims 10 and 68 are amended. Various amendments may be made for clarity and are unrelated to issues of patentability.

Entry of the amendments is proper under 37 C.F.R. §1.116 because the amendments: (1) place the application in condition for allowance; (2) do not raise any new issues requiring further search and/or consideration; and/or (3) place the application in better form for appeal, should an appeal be necessary. The above amendments are merely for clarity of previously-claimed subject matter. Entry is thus proper under 37 C.F.R. §1.116.

The Office Action rejects claims 10 and 68 under 35 U.S.C. §112, second paragraph. It is respectfully submitted that the above amendment to claims 10 and 68 obviates the ground for rejection. Withdrawal of the rejection is respectfully requested.

The Office Action rejects claims 10 and 12 under 35 U.S.C. §103(a) over U.S. Patent 6,324,522 to Peterson et al. (hereafter Peterson) in view of U.S. Patent 6,963,849 to Chaturvedi et al. (hereafter Chaturvedi), U.S. Patent 7,191,142 to Sandell et al. (hereafter Sandell), U.S. Patent Publication 2008/0133384 to Nagata and newly-cited U.S. Patent 6,957,190 to Sakayori et al. (hereafter Sakayori). The Office Action also rejects claim 68 under 35 U.S.C. §103(a) over Peterson in view of Sandell, Nagata, U.S. Patent 7,606,742 to Bright et al. (hereafter Bright), and Sakayori. Still further, the Office Action rejects claims 71-72 under 35 U.S.C. §103(a) over Peterson in view of Chaturvedi, Sandell, Bright, Sakayori and U.S. Patent Publication

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2002/0042756 to Kumar et al. (hereafter Kumar). The rejections are respectfully traversed with respect to the pending claims.

Independent claim 10 recites a database server, a web server and an order control server. Independent claim 10 also recites that the e-commerce system includes performing a divisional shipment of a partial quantity of the ordered tangible product based on each shipment-available date, wherein performing the divisional shipment comprises: transmitting an agreement for the divisional shipment to the dealing company having placed a corresponding order, receiving the agreement for the divisional shipment from the dealing company, generating an order sheet for the divisional shipment based on the received agreement, respectively storing the generated order sheets for the divisional shipment in a temporary order storage unit, performing the divisional shipment of a partial quantity of the tangible product corresponding to the stored order sheet based on the shipment-available date, and deleting information of the corresponding order sheet from the temporary order storage unit when the divisional shipment is carried out.

The applied references do not teach or suggest at least these features of independent claim 10. More specifically, the applied references do not teach or suggest performing a divisional shipment of a partial quantity of the ordered tangible product based on each shipment-available date, as recited in independent claim 10. The applied references also do not teach or suggest transmitting an agreement for the divisional shipment to the dealing company having placed a corresponding order, receiving the agreement for the divisional shipment from the dealing company, generating an order sheet for the divisional shipment based on the received

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agreement, respectively storing the generated order sheets for the divisional shipment in a temporary order storage unit, performing the divisional shipment of a partial quantity of the tangible product corresponding to the stored order sheet based on the shipment-available date, and deleting information of the corresponding order sheet from the temporary order storage unit when the divisional shipment is carried out, as recited in independent claim 10.

More specifically, the Office Action (on pages 11-12) states that Peterson, Chaturvedi, Sandell and Bright do not teach the features relating to the order control server generating the order sheet for the divisional shipment based on an agreement for the divisional shipment transmitted from the dealing company having placed a corresponding order and other features. The Office Action then cites Sakayori's col. 5, lines 38-42, col. 24, lines 26-33 and FIG. 3. However, these cited sections of Sakayori do not teach or suggest the claimed features.

Sakayori merely discloses that managed items include "expected," "orders determined," "delayed," "divided orders," "orders modified," "inspection in progress," and "acceptance." This does not suggest performing a divisional shipment of a partial quantity based on each shipment-available date. Sakayori's col. 24 also does not suggest transmitting an agreement, generating an order sheet, storing the generated order sheets in a temporary order storage unit and deleting information of the corresponding order sheet from the temporary order storage unit.

For at least these reasons, the applied references do not teach or suggest all the features of independent claim 10. Thus, independent claim 10 defines patentable subject matter.

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Independent claim 68 recites a database server, a web server, an information acquisition server and an order control server. Independent claim 68 also recites that the e-commerce system includes performing a divisional shipment of a partial quantity of the ordered tangible product based on each shipment-available date, wherein performing the divisional shipment comprises: transmitting an agreement for the divisional shipment to the dealing company having placed a corresponding order, receiving the agreement for the divisional shipment from the dealing company, generating an order sheet for the divisional shipment based on the received agreement, respectively storing the generated order sheets for the divisional shipment in a temporary order storage unit, performing the divisional shipment of a partial quantity of the tangible product corresponding to the stored order sheet based on the shipment-available date, and deleting information of the corresponding order sheet from the temporary order storage unit when the divisional shipment is carried out.

For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 68. More specifically, the applied references do not teach or suggest performing a divisional shipment of a partial quantity of the ordered tangible product based on each shipment-available date, as recited in independent claim 68. The applied references also do not teach or suggest transmitting an agreement for the divisional shipment to the dealing company having placed a corresponding order, receiving the agreement for the divisional shipment from the dealing company, generating an order sheet for the divisional shipment based on the received agreement, respectively storing the generated order

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sheets for the divisional shipment in a temporary order storage unit, performing the divisional shipment of a partial quantity of the tangible product corresponding to the stored order sheet based on the shipment-available date, and deleting information of the corresponding order sheet from the temporary order storage unit when the divisional shipment is carried out, as recited in independent claim 68.

For at least these reasons, the applied references do not teach or suggest all the features of independent claim 68. Thus, independent claim 68 defines patentable subject matter.

For at least the reasons set forth above, each of independent claims 10 and 68 defines patentable subject matter. Each of the dependent claims depends from one of the independent claims and therefore defines patentable subject matter at least for this reason. In addition, the dependent claims recite features that further and independently distinguish over the applied references.

### **CONCLUSION**

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of claims 10, 12, 68 and 71-72 are earnestly solicited. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this,

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concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,  
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